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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,895	03/02/2004	Mikhail Lotvin		2673

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RICHARD MICHAEL NEMES
754 WEST BROADWAY
WOODMERE, NY 11598-2948

EXAMINER

HAQ, NAEEM U

ART UNIT	PAPER NUMBER
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3625

MAIL DATE	DELIVERY MODE
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07/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/790,895	Applicant(s) LOTVIN ET AL.	
	Examiner Naeem Haq	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-15, 33-35 and 37-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-15, 33-35, and 37-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is in response to the Applicants' amendment filed on April 2, 2007.

New claims 40-46 have been added. Claims 13-15, 33-35, and 37-46 are pending and will be considered for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-15, 33-35, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petty et al. (US 6,337,858 B1)(“Petty”) in view of Shaffer et al. (US 6,477,374 B1)(“Shaffer”).

Referring to claim 13: Petty discloses a computer-implemented method comprising:

- storing a telephone service logic program on a personal page accessible over the Internet (col. 7, line 66 – col. 8, line 3: “*The voice button used to initiate a voice communication session with the service subscriber 32 may be a voice button form 56 written in CGI script that are embedded in the web page code that transmits appropriate call setup messages to the web server 38.*”)

- electronically providing information encoded in the service logic programs to at least one computer controlling telephone service so as to enable the at least one computer controlling telephone service to control telephone service in accordance with the service logic program (col. 8, lines 3-18: "*It may likewise be a voice button applet 58 written as a JAVA applet that is loaded at the same time as the web page is loaded into the client 18, 20 web browser. The applet transmits the appropriate call setup messages to the web server 38. A voice button hyperlink (not illustrated) may also be used. A hyperlink with the web page that links with appropriate CGI scripts on the web server 38 may be used for this purpose. When accessed, the CGI script on the server transmits the appropriate call setup messages to the web server 38. If voice over IP communications are to occur, the client 18, 20 workstation must include a VoIP client 60 that receives call setup requests from the VoIP gateway 42. If the web server 38 detects that the client 18, 20 does not have a VoIP client 60 resident, the web server 38 could be enabled to request permission to download an appropriate VoIP client 60.*")

Petty does not teach that the service logic program comprises a specification for at least one of voice mail and call forwarding. However, Shaffer teaches that a user can set call forwarding information via a web browser (col. 12, line 50 – col. 14, line 18; Figures 12A and 12B). Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Shaffer into the invention of Petty. One of ordinary skill in the art would have been motivated to do so in order to allow a user to customize his or her telephone services.

Referring to claim 14 and 15: Petty and Shaffer disclose all the limitations of claim 13 as noted above. Furthermore, Petty discloses that the computer controlling the

telephone service is a telephone company computer or a user's local computer (col. 7, line 66- col. 8, line 18).

Referring to claims 33 and 43: Claims 33 and 43 are rejected under the same rationale as set forth above in claim 13.

Referring to claims 34 and 35: Claims 34 and 35 are rejected under the same rationale as set forth above in claims 14 and 15.

Claims 37-42 and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petty et al. (US 6,337,858 B1)(“Petty”) in view of Shaffer et al. (US 6,477,374 B1)(“Shaffer”) and further in view of Official Notice.

The cited prior art does not teach blocking incoming calls based on caller ID. However, Official Notice is taken that it is old and well known in the art to block a call based on caller ID. Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate this feature into the cited prior art. One of ordinary skill in the art would have been motivated to do so in order to allow a user to block calls from certain people.

Response to Arguments

Applicants' arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

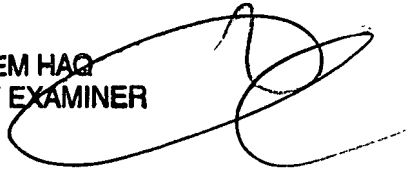
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571)-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NAEEM HAQ
PRIMARY EXAMINER

July 3, 2007

A handwritten signature in black ink, appearing to be 'Naeem Haq', written over the printed name and title.